STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

April 1, 2009

PWSID# CO-0150800
May Valley Water Association
Attention: James Gruenloh
214 Main, P.O. Box 310
Wiley, CO 81092

Certified Mail Number: 7007 0220 0001 0160 7393

RE: Service of Amendment to Enforcement Order DC-020108-1

Dear Mr. Gruenloh:

May Valley Water Association is hereby issued the enclosed amendment to the Enforcement Order that was issued to May Valley Water Association on January 8, 2002. This order amendment is issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §25-1.5-203 of the Colorado Revised Statutes.

Should you desire to discuss this matter with the Division or if you have any questions regarding the order amendment(s), please don't hesitate to contact Jackie Whelan at (303) 692-3617 or by electronic mail at jackie.whelan@state.co.us.

Sincerely,

Kristi-Raye Beaudin, Legal Assistant
Compliance Assurance and Data Management Section
WATER QUALITY CONTROL DIVISION

cc: Southeastern Land and Environment
Compliance Monitor / Drinking Water File

ec: Dave Knope, Engineering Section, CDPHE
Dick Parachini, Watershed Program, CDPHE
Betsy Beaver, Facility Operators Program, CDPHE
Shawn McCaffrey, EPA Region VIII
Jeff Lawerence, Director Consumer Protection Division, CDPHE
Carolyn Schachterle, OPA

Enclosures

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL DIVISION

AMENDMENT TO ENFORCEMENT ORDER NUMBER: DC-020108-1
NUMBER TWO

IN THE MATTER OF: MAY VALLEY WATER ASSOCIATION
PUBLIC WATER SYSTEM IDENTIFICATION NUMBER: CO-0150800
PROWERS COUNTY, COLORADO

Pursuant to the authority vested in the Colorado Department of Public Health and Environment (the "Department") by §25-1-109 and §25-1.5-203 of the Colorado Revised Statutes ("C.R.S."), which authority has been delegated to the Department's Water Quality Control Division (the "Division"), the Division hereby makes the following findings and issues the following Enforcement Order Amendment:

GENERAL FINDINGS

1. On January 8, 2002, the Division issued Enforcement Order Number: DC-020108-1to May Valley Water Association citing violations of the Colorado Primary Drinking Water Regulations for failure to comply with the maximum contaminant level(s) for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228. The Enforcement Order is attached hereto as Exhibit A and is incorporated herein by reference.

2. After re-evaluating the difficulties associated with the complying with the radionuclides maximum contaminant levels and in coordination with the Division's CORADS initiative, the Division is amending Enforcement Order number DC-020108-1 as follows:

AMENDMENT NUMBER TWO

3. Effective as of the issued date of this Amendment, Enforcement Order Number: DC-020108-1 is therefore amended to revise the Enforcement Order as follows:

   A. Paragraph 14 is superseded and replaced with the following new paragraph 3(A)(i):

      i. A review of the radiological monitoring data from January 1, 2001, to present provided to the Department by the System, establishes that the running annual average of samples obtained by the System as required exceeds the maximum

contaminant level of 15 picocuries per liter (pCi/L) for Gross Alpha Particle Activity.

Gross Alpha Particle Activity (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
002T	Q4 2000 12/21/00 52.8	Q1 2001 03/21/01 52.8	Q2 2001 06/26/01 82.2	Q3 2001 09/26/01 82.2	68
002T	Q1 2001 03/21/01 52.8	Q2 2001 06/26/01 82.2	Q3 2001 09/26/01 82.2	Q4 2001 No Sample Submitted	72
002T	Q2 2001 06/26/01 82.2	Q3 2001 09/26/01 82.2	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 51	72
002T	Q3 2001 09/26/01 82.2	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 51	Q2 2002 06/27/02 18.1	50
002T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 51	Q2 2002 06/27/02 18.1	Q3 2002 09/24/02 18.1	29
002T	Q1 2002 03/27/02 51	Q2 2002 06/27/02 18.1	Q3 2002 09/24/02 18.1	Q4 2002 11/25/02 18.1	26
002T				Annual 2003 09/04/03 30.3	30
002T				Annual 2004 09/29/04 40.5	41
002T				Annual 2005 09/07/05 72.5	73
002T				Annual 2006 09/26/06 31	31
002T				Annual 2007 09/30/07 and 12/05/07 23 and 60	42
002T				Annual 2008 07/17/08 50	50
003T	Q4 2000 12/21/00 29.6	Q1 2001 03/21/01 29.6	Q2 2001 06/26/01 118	Q3 2001 09/26/01 118	74
003T	Q1 2001 03/21/01 29.6	Q2 2001 06/26/01 118	Q3 2001 09/26/01 118	Q4 2001 No Sample Submitted	89
003T	Q2 2001 06/26/01 118	Q3 2001 09/26/01 118	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 41.5	93

Gross Alpha Particle Activity (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
003T	Q3 2001 09/26/01 118	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 41.5	Q2 2002 06/27/02 9.93	56
003T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 41.5	Q2 2002 06/27/02 9.93	Q3 2002 09/24/02 9.93	20
003T	Q1 2002 03/27/02 41.5	Q2 2002 06/27/02 9.93	Q3 2002 09/24/02 9.93	Q4 2002 11/25/02 10	18
003T				Annual 2003 08/11/03 27	27
003T				Annual 2004 09/29/04 28.3	28
003T				Annual 2005 09/07/05 63.5	64
003T				Annual 2006 09/26/06 41	41
003T				Annual 2007 09/30/07 16	16
003T				Annual 2008 07/17/08 31	31
009T	Q4 2000 12/21/00 50.2	Q1 2001 03/21/01 50.2	Q2 2001 06/26/01 21.8	Q3 2001 09/26/01 21.8	36
009T	Q1 2001 03/21/01 50.2	Q2 2001 06/26/01 21.8	Q3 2001 09/26/01 21.8	Q4 2001 No Sample Submitted	31
009T	Q2 2001 06/26/01 21.8	Q3 2001 09/26/01 21.8	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.3	18
009T	Q3 2001 09/26/01 21.8	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.3	Q2 2002 06/27/02 1.0	13
009T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.3	Q2 2002 06/27/02 1.0	Q3 2002 09/24/02 1.0	4
009T	Q1 2002 03/27/02 9.3	Q2 2002 06/27/02 1.0	Q3 2002 09/24/02 1.0	Q4 2002 11/25/02 1.0	3
009T				Annual 2003 08/11/03 8	8
009T				Annual 2004 09/29/04 10.9	11

Gross Alpha Particle Activity (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
009T				Annual 2005 09/07/05 20.8	21
009T				Annual 2006 09/26/06 18	18
009T				Annual 2007 09/27/07 10	10
009T				Annual 2008 07/30/08 15	15
010T	Q4 2000 12/21/00 39.2	Q1 2001 03/21/01 39.2	Q2 2001 06/26/01 35.7	Q3 2001 09/26/01 35.7	37
010T	Q1 2001 03/21/01 39.2	Q2 2001 06/26/01 35.7	Q3 2001 09/26/01 35.7	Q4 2001 No Sample Submitted	37
010T	Q2 2001 06/26/01 35.7	Q3 2001 09/26/01 35.7	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 11	27
010T	Q3 2001 09/26/01 35.7	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 11	Q2 2002 06/27/02 9.63	19
010T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 11	Q2 2002 06/27/02 9.63	Q3 2002 09/24/02 9.63	10
010T	Q1 2002 03/27/02 11	Q2 2002 06/27/02 9.63	Q3 2002 09/24/02 9.63	Q4 2002 11/25/02 9.63	10
010T				Annual 2003 08/11/03 27.6	28
010T				Annual 2004 09/29/04 20.7	21
010T				Annual 2005 09/07/05 38.6	39
010T				Annual 2006 09/26/06 38	38
010T				Annual 2007 12/05/07 13	13
010T				Annual 2008 07/30/08 30	30
012T	Q4 2000 12/21/00 23.9	Q1 2001 03/21/01 23.9	Q2 2001 06/26/01 30.6	Q3 2001 09/26/01 30.6	27

Gross Alpha Particle Activity (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
012T	Q1 2001 03/21/01 23.9	Q2 2001 06/26/01 30.6	Q3 2001 09/26/01 30.6	Q4 2001 No Sample Submitted	28
012T	Q2 2001 06/26/01 30.6	Q3 2001 09/26/01 30.6	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 44.8	35
012T	Q3 2001 09/26/01 30.6	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 44.8	Q2 2002 06/27/02 28	34
012T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 44.8	Q2 2002 06/27/02 28	Q3 2002 09/24/02 28	34
012T	Q1 2002 03/27/02 44.8	Q2 2002 06/27/02 28	Q3 2002 09/24/02 28	Q4 2002 11/25/02 28	32
012T				Annual 2003 08/11/03 50.1	50
012T				Annual 2004 09/29/04 12.5	13
012T				Annual 2005 09/07/05 68.3	68
012T				Annual 2006 09/26/06 23	23
012T				Annual 2007 12/05/07 14	14
012T				Annual 2008 07/30/08 20	20
014	Q1 2002 03/30/02 65.1	Q2 2002 No Sample Submitted	Q3 2002 No Sample Submitted	Q4 2002 No Sample Submitted	65
014				Annual 2003 08/11/03 18.3	18
014				Annual 2004 09/29/04 62.5	63
014				Annual 2005 09/07/05 75.3	75
014				Annual 2006 09/26/06 58	58
014				Annual 2007 09/30/07 24	24

Gross Alpha Particle Activity (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
014				Annual 2008 07/30/08 31	31

B. Paragraph 20 is superseded and replaced with the following new paragraph 3(B)(i):

i. A review of the radiological monitoring data from January 1, 2001, to present provided to the Department by the System, establishes that the running annual average of samples obtained by the System as required exceeds the maximum contaminant level of 5 picocuries per liter for Combined Radium-226 and Radium-228:

Combined Radium-226 and Radium-228 (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
002T	Q4 2000 12/21/00 14	Q1 2001 03/21/01 14	Q2 2001 06/26/01 22.27	Q3 2001 09/26/01 22.27	18
002T	Q1 2001 03/21/01 14	Q2 2001 06/26/01 22.27	Q3 2001 09/26/01 22.27	Q4 2001 No Sample Submitted	20
002T	Q2 2001 06/26/01 22.27	Q3 2001 09/26/01 22.27	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 15.81	20
002T	Q3 2001 09/26/01 22.27	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 15.81	Q2 2002 06/27/02 27	22
002T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 15.81	Q2 2002 06/27/02 27	Q3 2002 09/24/02 27	23
002T	Q1 2002 03/27/02 15.81	Q2 2002 06/27/02 27	Q3 2002 09/24/02 27	Q4 2002 11/25/02 27	24
002T				Annual 2003 08/11/03 and 09/04/03 31 and 12.19	22
002T				Annual 2004 09/29/04 20.79	21
002T				Annual 2005 09/07/05 13.8	14
002T				Annual 2006 09/26/06 16.1	16

Combined Radium-226 and Radium-228 (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
002T				Annual 2007 09/30/07 and 12/05/07 13.4 and 27.5	20
002T				Annual 2008 07/30/08 17.9	18
003T	Q4 2000 12/21/00 10.3	Q1 2001 03/21/01 10.3	Q2 2001 06/26/01 15.45	Q3 2001 09/26/01 15.45	13
003T	Q1 2001 03/21/01 10.3	Q2 2001 06/26/01 15.45	Q3 2001 09/26/01 15.45	Q4 2001 No Sample Submitted	14
003T	Q2 2001 06/26/01 15.45	Q3 2001 09/26/01 15.45	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 13.59	15
003T	Q3 2001 09/26/01 15.45	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 13.59	Q2 2002 06/27/02 20.19	16
003T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 13.59	Q2 2002 06/27/02 20.19	Q3 2002 09/24/02 20.19	18
003T	Q1 2002 03/27/02 13.59	Q2 2002 06/27/02 20.19	Q3 2002 09/24/02 20.19	Q4 2002 11/25/02 20.19	19
003T				Annual 2003 08/11/03 9	9
003T				Annual 2004 09/29/04 15.26	15
003T				Annual 2005 09/07/05 10.3	10
003T				Annual 2006 09/26/06 13.2	13
003T				Annual 2007 09/30/07 and 12/05/07 14.5 and 11.1	13
003T				Annual 2008 07/30/08 12.5	13
009T	Q4 2000 12/21/00 9.5	Q1 2001 03/21/01 9.5	Q2 2001 06/26/01 7.16	Q3 2001 09/26/01 7.16	8
009T	Q1 2001 03/21/01 9.5	Q2 2001 06/26/01 7.16	Q3 2001 09/26/01 7.16	Q4 2001 No Sample Submitted	8

Combined Radium-226 and Radium-228 (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
009T	Q2 2001 06/26/01 7.16	Q3 2001 09/26/01 7.16	Q4 2001 No Sample Submitted	Q1 2002 No Sample Submitted	7
009T	Q3 2001 09/26/01 7.16	Q4 2001 No Sample Submitted	Q1 2002 No Sample Submitted	Q2 2002 06/27/02 10.81	9
009T	Q4 2001 No Sample Submitted	Q1 2002 No Sample Submitted	Q2 2002 06/27/02 10.81	Q3 2002 09/24/02 10.81	11
009T	Q1 2002 No Sample Submitted	Q2 2002 06/27/02 10.81	Q3 2002 09/24/02 10.81	Q4 2002 11/25/02 10.81	11
009T				Annual 2003 08/11/03 7	7
009T				Annual 2004 09/29/04 5.04	5
009T				Annual 2005 09/07/05 4.9	5
009T				Annual 2006 09/26/06 8.6	9
009T				Annual 2007 09/27/07 9.9	10
009T				Annual 2008 07/30/08 5.6	6
010T	Q4 2000 12/21/00 13.5	Q1 2001 03/21/01 13.5	Q2 2001 06/26/01 13.44	Q3 2001 09/26/01 13.44	13
010T	Q1 2001 03/21/01 13.5	Q2 2001 06/26/01 13.44	Q3 2001 09/26/01 13.44	Q4 2001 No Sample Submitted	13
010T	Q2 2001 06/26/01 13.44	Q3 2001 09/26/01 13.44	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.36	12
010T	Q3 2001 09/26/01 13.44	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.36	Q2 2002 06/27/02 16.82	13
010T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 9.36	Q2 2002 06/27/02 16.82	Q3 2002 09/24/02 16.82	14
010T	Q1 2002 03/27/02 9.36	Q2 2002 06/27/02 16.82	Q3 2002 09/24/02 16.82	Q4 2002 11/25/02 16.82	15
010T				Annual 2003 08/11/03 8.96	9

Combined Radium-226 and Radium-228 (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
010T				Annual 2004 09/29/04 10.2	10
010T				Annual 2005 09/07/05 10.2	10
010T				Annual 2006 09/26/06 10.4	10
010T				Annual 2007 09/27/07 10.3	10
010T				Annual 2008 07/30/08 11.9	12
012T	Q4 2000 12/21/00 9.7	Q1 2001 03/21/01 9.7	Q2 2001 06/26/01 10.72	Q3 2001 09/26/01 10.72	10
012T	Q1 2001 03/21/01 9.7	Q2 2001 06/26/01 10.72	Q3 2001 09/26/01 10.72	Q4 2001 No Sample Submitted	10
012T	Q2 2001 06/26/01 10.72	Q3 2001 09/26/01 10.72	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 10.06	10
012T	Q3 2001 09/26/01 10.72	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 10.06	Q2 2002 06/27/02 14.95	12
012T	Q4 2001 No Sample Submitted	Q1 2002 03/27/02 10.06	Q2 2002 06/27/02 14.95	Q3 2002 09/24/02 14.95	13
012T	Q1 2002 03/27/02 10.06	Q2 2002 06/27/02 14.95	Q3 2002 09/24/02 14.95	Q4 2002 11/25/02 14.95	14
012T				Annual 2003 08/11/03 8.4	8
012T				Annual 2004 09/29/04 8.38	8
012T				Annual 2005 09/07/05 4.58	5
012T				Annual 2006 09/26/06 7.1	7
012T				Annual 2007 09/27/07 9.8	10
012T				Annual 2008 07/30/08 10.1	10

Combined Radium-226 and Radium-228 (in pCi/L)					
Sampling Point	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Compliance Period/Date/Result**	**Annual Average**
014	Q4 2000 12/21/00 12.1	Q1 2001 03/21/01 12.1	Q2 2001 06/26/01 10.72	Q3 2001 No Sample Submitted	12
014	Q1 2001 03/21/01 12.1	Q2 2001 06/26/01 10.72	Q3 2001 No Sample Submitted	Q4 2001 No Sample Submitted	11
014	Q2 2001 06/26/01 10.72	Q3 2001 No Sample Submitted	Q4 2001 No Sample Submitted	Q1 2002 03/30/02 6.7	9
014	Q3 2001 No Sample Submitted	Q4 2001 No Sample Submitted	Q1 2002 03/30/02 6.7	Q2 2002 No Sample Submitted	7
014	Q4 2001 No Sample Submitted	Q1 2002 03/30/02 6.7	Q2 2002 No Sample Submitted	Q3 2002 No Sample Submitted	7
014	Q1 2002 03/30/02 6.7	Q2 2002 No Sample Submitted	Q3 2002 No Sample Submitted	Q4 2002 No Sample Submitted	7
014				Annual 2003 08/11/03 9.92	10
014				Annual 2004 09/29/04 15.66	16
014				Annual 2005 09/07/05 16.4	16
				Annual 2006 09/26/06 21.7	22
				Annual 2007 09/30/07 18.4	18
				Annual 2008 07/30/08 13.1	13

C. The compliance schedule specified in paragraph 23 is superseded and replaced with the following new paragraph 3(B)(i):

i. In order to ensure long-term compliance with the maximum contaminant levels for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228, the May Valley Water Association shall evaluate and upgrade, as needed, the System's water sources and/or treatment process(es) in accordance with the following schedule:

a. By April 30, 2009, retain a qualified Professional Engineer (licensed in Colorado and experienced in drinking water systems) to evaluate and

recommend radiological treatment technologies or alternate water sources to the May Valley Water Association to ensure compliance with the maximum contaminant level for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228.

b. By October 31, 2009, submit for Department review and comment a finalized Preliminary Engineering Report for system improvements to comply with the maximum contaminant levels for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228. If an alternate water source is proposed, submit for Department review and comment a detailed description of the alternate water source along with a copy of the laboratory analyses supporting that the alternate water source is suitable.

c. The Preliminary Engineering Report submittal package must be developed consistent with the Colorado Drinking Water Preliminary Engineering Report Guidance & Review Checklist Form. (see http://www.cdphe.state.co.us/wq/opa/pdf/19_CPERGuideChecklistDW.pdf)

d. If an alternate water source is proposed, submit for Department review and comment a detailed description of the alternate water source along with a copy of the laboratory analyses supporting that the alternate water source is suitable.

e. The Preliminary Engineering Report (if applicable) must clearly identify the specific treatment technology the May Valley Water Association will use to ensure compliance with the maximum contaminant levels for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228.

f. The Preliminary Engineering Report (if applicable) must include a process flow schematic of the distribution system from wellheads to points of use, including flow rates, treatment facilities, storage tanks and all service connections supplied by the wells. Alternative treatment locations for the selected treatment process or processes must be evaluated with a recommended location selection. The process flow schematic information and evaluation must be included to ensure all water from the System is treated.

g. The Preliminary Engineering Report (if applicable) must include a proposal for management of residuals from the treatment technology selected.

h. The Preliminary Engineering Report submittal package must include design calculations showing the proposed treatment system is properly sized and chlorine contact times can be met for expected flow rates.

{Please note that, prior to construction, the Department must give final approval to any modifications to the System's water source or treatment

process. The Department will not perform a detailed review and final approval of any proposed modifications until the final design plans and specifications have been received pursuant to paragraph 3(B)(i)(k) below.}

i. By February 28, 2010, submit for Department review and comment the final Design Report for the May Valley Water Association System improvements to comply with the maximum contaminant levels for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228.

j. By August 1, 2010, submit Final Design Plans and Specifications for the System improvements for Department review and approval in accordance with the State of Colorado Design Criteria for Potable Water Systems.

k. The Final Design Plans and Specifications submittal package must include specifications for treatment equipment and/or chemical additives that come in contact with the water that indicate ANSI standards 60 and 61 are met (NSF certification).

l. By October 15, 2011, complete construction/implementation of the Department approved System improvements to ensure long-term compliance with the maximum contaminant levels Gross Alpha Particle Activity and Combined Radium-226 and Radium-228.

m. By December 1, 2011, submit the Professional Engineer's Certification that the System improvements to comply with the maximum contaminant levels for Gross Alpha Particle Activity and Combined Radium-226 and Radium-228 were constructed/installed as approved by the Department.

D. The quarterly project progress reports requirement specified in paragraph 24 is superseded and replaced with the following new paragraph 3(C)(i):

i. The May Valley Water Association shall submit "System Improvement Project - Progress Reports" to the Division every ninety (90) calendar days. The first report shall be submitted to the Division by March 31, 2009. At a minimum, each report shall clearly indicate the status of the system improvement project at the time the report is filed and outline activities to be undertaken within the next ninety (90) calendar days. Each report shall also detail any public notification provided during that period. These reports shall be required until the System has effectively addressed and returned to compliance with the radiological maximum contaminant levels outlined in 5 CCR 1003-1, §2.6, Table 2-7.

E. The following new paragraphs are incorporated into Enforcement Order Number DC-020108-1

i. By no later than April 30, 2009, the May Valley Water Association shall complete an evaluation to determine appropriate interim measures to ensure that the System

is providing the best possible quality of water available until the System implements improvements to ensure long-term compliance with the radiological maximum contaminant levels. The May Valley Water Association shall submit a written report of the results of this evaluation to the Division for review and comment. Implementation of the interim measures identified by the May Valley Water Association shall become a condition of this Enforcement Order unless notified by the Division, in writing, that alternate or additional interim measures are appropriate. If the Division imposes alternate or additional interim measures, they shall also become a condition of this Enforcement Order.

ii. By no later than March 31, 2009, and every three (3) months thereafter, the May Valley Water Association shall issue a public notice in accordance with 5 CCR 1003-1, Article 9.2 for each radiological maximum contaminant level violation identified in this Enforcement Order until the May Valley Water Association has effectively addressed and returned to compliance with the radiological maximum contaminant levels outlined in 5 CCR 1003-1, §2.6, Table 2-7. Within ten (10) calendar days of completion of each required public notification, the May Valley Water Association shall submit to the Department, along with the mandatory Public Notification certification of delivery, a representative copy of notices distributed, published, posted, and/or made available to the persons served by the system and/or to the media. (Attached are copies of procedures and forms to assist you with the public notification requirements.)

iii. All documents submitted under this Order Amendment shall use the same titles as stated in the Order Amendment, and shall reference both the number of the Order, Amendment number, and the paragraph number pursuant to which the document is required.

F. For all documents, plans, records, reports, and replies required to be submitted by the Order, May Valley Water Association shall submit an original and one copy (electronic is preferred) to the Division at the following address:

Colorado Department of Public Health and Environment
Water Quality Control Division / WQCD-WQP-B2
Compliance Assurance and Data Management Section / Enforcement Team
Attention: Jackie Whelan
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Email: jackie.whelan@state.co.us

(For any facsimile transmittals, please include a cover sheet addressed to Ms. Whelan.)

SCOPE OF AMENDMENT NUMBER TWO

The scope of this Amendment Number Two to Enforcement Order Number DC-020108-1 is limited to the revisions outlined above. All other terms and conditions of the Enforcement Order shall remain unchanged and in effect.

Issued at Denver, Colorado, this 31st day of March, 2009.

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Lori M Gerzina

Lori M. Gerzina, Section Manager
Compliance Assurance and Data Management Section
Water Quality Control Division